

United States District Court
Eastern District of New York

1:20-cv-00322-LDH-SMG

Peter Figueroa, individually and on behalf
of all others similarly situated,

Plaintiff,

- against -

Trader Joe's Company,

Defendant

Stipulation and Order Granting Leave to File
Amended Complaint and Extending Time to
Respond

WHEREAS on January 21, 2020, Plaintiff filed his Complaint against Defendant;

WHEREAS Plaintiff seeks to file a First Amended Complaint (“FAC”) to add factual allegations related to other, similar products on behalf of one or more persons alleged to have been misled.

WHEREAS a copy of Plaintiff’s proposed First Amended Complaint is attached hereto as Exhibit “A.”

IT IS HEREBY STIPULATED, pursuant to Federal Rule of Civil Procedure Rule 15(a)(2), by Plaintiff and Defendant, that:

1. Defendant hereby consents to the filing of Plaintiff’s First Amended Complaint;
2. Plaintiff shall file the First Amended Complaint upon the Court’s Ordering of this Stipulation;

IT IS HEREBY REQUESTED, pursuant to Federal Rule of Civil Procedure Rule 15(a)(3), by Plaintiff and Defendant, that:

1. The Court issue an Order extending Defendant’s time to respond to the amended pleading beyond 14 days after service of the amended pleading, until Monday,

September 14, 2020.

SO STIPULATED AND AGREED THIS FOURTEENTH DAY OF AUGUST BY:

Dated: August 14, 2020

Sheehan & Associates, P.C.

Faegre Drinker Biddle & Reath LLP

/s/Spencer Sheehan

/s/Tyler A. Young

Spencer Sheehan
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Counsel for Plaintiff

Tel: (612) 766-8610
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Counsel for Defendant

ORDER

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that Plaintiff is granted leave to file the First Amended Complaint, which is attached to the Parties' Stipulation as Exhibit A and that Defendant respond to the amended pleading on Monday, September 14, 2020.

Dated: _____

United States District Judge

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Great Neck NY 11021-3104
Tel: (516) 303-0552
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Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information, and belief, formed after an inquiry reasonable under the circumstances, the contentions contained in the annexed documents are not frivolous.

Dated: August 14, 2020

/s/ Spencer Sheehan
Spencer Sheehan

Certificate of Service

I certify that on August 14, 2020, I served and/or transmitted the foregoing by the method below to the persons or entities indicated, at their last known address of record (blank where not applicable).

	CM/ECF	First-Class Mail	Email	Fax
Defendant's Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plaintiff's Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Courtesy Copy to Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

/s/ Spencer Sheehan
Spencer Sheehan